

REMARKS

Applicant has amended the specification to correct typographical errors as required by the Examiner; canceled claim 2, without prejudice or disclaimer of its subject matter; and amended claim 1 to include the elements of canceled claim 2. Claims 18 and 19 are withdrawn from further consideration, as drawn to a nonelected invention. Claims 1 and 3-17 remain pending and under current examination.

Regarding the Office Action:

In the Office Action, the Examiner objected to specification; rejected claims 1 and 3-11 under 35 U.S.C. § 112, second paragraph; rejected claims 1, 8, and 9 under 35 U.S.C. § 102(a) as being anticipated by Kumar et al. (U.S. Patent No. 6,482,374) ("Kumar"); rejected claims 1, 8, and 9 under 35 U.S.C. § 102(b) as being anticipated by Yoshizawa et al. (U.S. Patent No. 4,948,422) ("Yoshizawa"); rejected claims 4 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Kumar or Yoshizawa; and allowed claims 12-17. Applicant respectfully traverses the objection and rejections.¹

Rejection of Claims 1 and 3-11 under 35 U.S.C. § 112, Second Paragraph:

The Examiner stated that these claims are "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, p. 3). In response, Applicant has amended claim 1 and submits that the amendment overcomes the 35 U.S.C. § 112, 2nd paragraph, rejection of claim 1 and 3-11. Accordingly, Applicant requests withdrawal of the rejection of claims 1 and 3-11.

¹ The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicant declines to automatically subscribe to any statements in the Office Action.

Application Number: 10/695,788
Filing Date: October 30, 2003
Attorney Docket Number: 07906.0019

Rejection of Claims 1, 4, and 8-10 under 35 U.S.C. §§ 102(a), 102(b), and 103(a):

Applicant respectfully traverses the rejection of claims 1, 4, and 8-10 set forth in the Office Action. However, to expedite prosecution, applicant has incorporated the subject matter of claim 2, indicated by the Examiner as allowable, into claim 1. Applicant submits that the amended claim 1, and claims 4 and 8-10, which depend therefrom, are allowable over the art of record.

Claims 12-17:

Applicant acknowledges with appreciation the Examiner's indication that claims 12-17 are allowed.

Conclusion:

In view of the foregoing, Applicant requests reconsideration of the application and withdrawal of the rejections. Pending claims 1 and 3-17 are in condition for allowance, and Applicant requests a favorable action.

If there are any remaining issues or misunderstandings, Applicant requests the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Richard V. Burgujian

By:

Richard V. Burgujian
Richard V. Burgujian
Reg. No. 31,744

Dated: February 13, 2006